

REMARKS

Claims 22-28 remain pending in the present application. Claim 22 has been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claims 22-24 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants respectfully traverse this rejection. Applicants are not required to define how the surface is adapted for engagement with the object. It is sufficient to state that the surface is adapted for engagement with the object. Regardless, Applicants have deleted the term "adapted" so that both the clamping arm and the housing are now defining a surface for engaging the object. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102 / §103

Claims 22 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Stoll (U.S. Pat. No. 2,175,488). Claims 22 and 23 are rejected under 35 U.S.C. §102(b) as anticipated by Kling (U.S. Pat. No. 464,100) or, in the alternative, under 35 U.S.C. §103(a) as obvious over Kling (U. S. Pat. No. 464,100) in view of Nicholson (U.S. Pat. No. 2,548,443). Applicants respectfully traverse this rejection by the Examiner. The Examiner states that Stoll discloses a mechanism with every structural limitation of the claimed invention.

The Examiner has failed to show where in Stoll on both the clamping arm and the housing is defined "a supporting surface for engaging the object". Clearly, Stoll does not disclose this structural limitation because Stoll is directed towards a foot rest and thus has absolutely nothing to do with a clamping mechanism which the present invention is directed towards. The only common element between Stoll and the present invention is the non-releasable one-way clutch.

The Examiner then goes on to state that Kling discloses a mechanism with every structural limitation of the claimed invention. The Examiner has failed to show where in Kling on both the clamping arm and the housing is defined "a supporting surface for engaging the object". Clearly, Kling does not disclose this structural limitation because Kling is directed towards a brake handle and thus has absolutely nothing to do with a clamping mechanism which the present invention is directed towards. The only common element between Kling and the present invention is the non-releasable one-way clutch. In addition, Kling does not even disclose a housing and thus clearly cannot disclose a specified surface on the housing.

RESPONSE TO ARGUMENTS

The Examiner is apparently of the opinion that the prior art does not teach or suggest the same intended use and that there is nothing in the claims that structurally distinguishes the claimed invention over the prior art reference. Applicants respectfully disagree. The claims define "a supporting surface" on the clamping arm and the housing for engaging the object. There is clearly no equivalent surface on the prior art cited by the Examiner because the cited prior art is not directed towards a clamping

device and thus the cited prior art is not concerned with supporting surfaces on the housing and clamping arm for engaging an object. In Stoll, the supporting surface is pad 15 on arm 13 which is for engaging someone's foot and/or the bottom of uprights 10 which are for engaging the floor. These two "supporting surfaces" clearly are not for engaging the same object. In Kling, handle A is for engaging a person's hand but there is no housing in Kling and if the Examiner imagines one, it clearly doesn't have a surface for engaging anything.

Thus, Applicants believe Claim 22 patentably distinguishes over the art of record. Likewise, Claims 23 and 24, which ultimately depend from Claim 22, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJOINDER

Applicants respectfully request the rejoinder of withdrawn Claims 25-28. Applicants believe these claims properly further limit the pending claims.

NOTICE OF APPEAL

Applicants are filing a Notice of Appeal in response to this final Office Action in addition to this amendment. Pursuant to MPEP 1208.02, since prosecution was reopened prior to a decision on the merits by the Board of Patent Appeals and Interferences, the fee paid for the Notice of Appeal, Appeal Brief, and Request for Oral Hearing (if applicable) will be applied to a later appeal on the same applications. Thus, there is no fee due for the filing of this Appeal or for the subsequent Appeal Brief.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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